

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BRECKSVILLE LASER EYE CENTER,)
) CASE NO. 5:08CV02855
)
 Plaintiff,) JUDGE: JUDGE SARA LIOI
) MAGISTRATE JUDGE: LIMBERT
 v.)
)
 DR. ROBERT C. BEVINGTON, *et al.*,)
)
)
 Defendants.)

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to the Federal Rules of Civil Procedure 41(a)(ii) and the settlement agreement between the parties, the parties hereby stipulate to the dismissal *with prejudice* of the above action. This Court shall retain jurisdiction over the terms of the settlement.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that the foregoing *Stipulation of Dismissal with Prejudice* has been filed this 11th day of September, 2009, through the Court's electronic filing system. All parties may access the foregoing via the Court's electronic filing system.

/s/Mark S. Fusco

Mark S. Fusco